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UNCLAS SANTO DOMINGO 006466

SIPDIS

SENSITIVE

STATE FOR WHA/CCA AND WHA/CAR-MCISAAC

E.O. 12958: N/A

TAGS: [CU](#) [ETTC](#) [DR](#)

SUBJECT: CUBA: COUNTRY-BY-COUNTRY REVIEW RE SUSPENSION OF
TITLE III OF LIBERTAD ACT

REF: A. STATE 248337

[1](#)B. SANTO DOMINGO 3825

[1](#)1. (SBU) In response to para 6 Ref A, Embassy finds there has been no marked change in the Dominican Republic's situation with regard to Cuba since our last report (Ref B).

[1](#)2. (SBU) The administration of President Fernandez, which took office August 16, has so far taken a low profile on Cuban issues. As in previous years, the Dominican Republic in October joined the overwhelming majority of nations that approved a UNGA resolution criticizing the U.S. economic embargo against Cuba. On November 25-26 in Santo Domingo, Dominican and Cuban officials held annual discussions on a program of technical cooperation and exchanges for 2005, continuing arrangements established under a 1998 agreement (details forthcoming septel).

[1](#)3. (SBU) Embassy considers that U.S. national interests and the actions of the Dominican Government fully justify a renewal of the waiver of Title III of the Libertad Act with regard to Dominican businesses that may be involved in joint ventures with the Government of Cuba or significant trade with Cuba. Embassy inquiries have not resulted in identification of any Dominican companies or entities with investments or joint ventures that would trigger Title III concerns. There is very little Dominican investment in Cuba, and Embassy has no information about any conflict between Dominican investors and U.S. citizens with property claims in Cuba. Embassy has not received complaints by any U.S. citizens against any Dominican company related to any investment in Cuba or DR-Cuba trade.

[1](#)4. (SBU) The past Dominican administration cast a crucial vote to pass the Cuba resolution in the 60th Human Rights Commission meeting in Geneva. The new administration, in office since August 16, is still defining its foreign policy.

If the suspension of Title III were not renewed and a U.S. citizen were to bring suit against an entity under Title III, its extraterritorial reach could affect the possibility of obtaining future Dominican support for diplomatic initiatives on behalf of human rights and fundamental freedoms in Cuba.

HERTELL